



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

ORDER

DOT 5420.3

6-16-83

Subject: RADIO FREQUENCY SPECTRUM USE

1. PURPOSE. This Order establishes Department of Transportation (DOT) policy for using the radio frequency spectrum and for obligating funds for systems requiring radio frequency support.
2. CANCELLATION. This Order updates DOT 5420.1, Radio Frequency Spectrum Utilization, and DOT 5420.2, Radio Frequency Spectrum Utilization and Management, which are cancelled.
3. BACKGROUND.
 - a. The Communications Act of 1934, as amended, provides for the regulation of communications by radio. The use of radio frequencies by radio stations belonging to and operated by the U.S. Government is established under Presidential Authority contained in Section 305 of the Act (47 U.S.C. 305 (a)). This authority was delegated to the Administrator, National Telecommunications and Information Administration (NTIA) by Reorganization Plan No. 1 of 1977 and implemented by Executive Order 12046, signed by the President on March 26, 1978. Non-Federal government use under the provisions of the Act is controlled by the Federal Communications Commission.
 - b. The Department of Transportation (DOT) is engaged in a wide variety of operations and projects in which the use of radio frequencies is essential. Such use plays a vital role in all aspects of air, sea, highway, and rail transportation. In addition, through grants-in-aid, DOT is supporting organizations which will make use of non-Government frequencies and is therefore concerned with both Government and non-Government aspects of radio frequency management.
 - c. Policies, regulations, and technical standards governing the use of the radio frequency spectrum by Federal Government agencies, and the administrative procedures to be followed in frequency management matters, are promulgated by NTIA in the Manual of Regulations and Procedures for Federal Radio Frequency Management (RP-FRFM). The RP-FRFM stipulates:
 - (1) Prior authorization by NTIA is required for the use of any portion of the radio frequency spectrum by a Government agency, whether for experimental, developmental, or operational purposes.

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- (2) Requests from Government agencies for radio frequency assignments, or other frequency management actions, are processed through the Interdepartment Radio Advisory Committee (IRAC). The IRAC has been given responsibility for assisting the NTIA in assigning frequencies to Government radio stations and in developing the executive policies, programs, procedures, and technical criteria pertaining to the allocation, management, and use of the radio spectrum.
- d. By an agreement in 1967 between DOT and the predecessors of NTIA, which was subsequently ratified by NTIA, DOT is authorized two representatives on the IRAC: one representative, provided by the Federal Aviation Administration (FAA) is responsible for the frequency management interests of that agency and for the Transportation Systems Center (TSC); the second representative, provided by the U.S. Coast Guard is responsible for the frequency management interests of that agency and for all other surface-mode operating administrations (FHWA, FRA, NHTSA, MARAD, UMTA, SLSDC, and RSPA) as well as internal frequency requirements for the Office of the Secretary.
- e. Section 8.2.5 of the RP-FRFM stipulates that the obligation of funds by Government agencies for the development or procurement of communication-electronic equipment requiring the assignment and protection of radio frequencies for their use should be withheld pending assurance of the availability of appropriate radio frequency assignment support for both present and anticipated needs. In addition, Section 13.2(o) of OMB Circular A-11 requires budget estimates for the development or procurement of major systems to be submitted only after certification by NTIA that the space in the radio frequency spectrum for such systems is available. These requirements also apply to the selection, procurement and development of space or terrestrial station sites and facilities, and to non-Government organizations under contract to the Government.

4. POLICY.

- a. Use of the radio frequency spectrum is vital to the support of DOT programs and operations. Sound engineering and administrative practices, consistent with NTIA policies, regulations and budgetary constraints, shall be applied throughout DOT toward ensuring efficiency and effectiveness in the management and use of the radio frequency spectrum.

- b. Within DOT, use of the radio frequency spectrum shall only be as authorized by NTIA or other competent frequency management authority, as in the case of foreign operations.
- c. The approval of programs and the obligation of funds for any system, service, or equipment of an experimental, operational, or developmental nature requiring the assignment and protection of radio frequencies for their implementation or use should be withheld by the DOT operating administration pending assurance that such frequency support can be provided. Budget estimates of major systems will include certification that spectrum space is available.

5. RESPONSIBILITIES.

- a. Each operating administration determines, in the light of its responsibilities and national and departmental policies, the extent to which radio equipment is required to carry out its missions.
- b. The FAA and USCG, through their IRAC representatives, are responsible for providing cognizant officials in the operating administration with frequency management policy guidance and technical support in the determination of frequency requirements. These representatives are responsible for representing agency spectrum interests in the IRAC.

6. ACTIONS.

- a. Each DOT operating administration shall issue the necessary directive to comply with the policy contained in paragraph 4. This directive shall assure that proposals for new, improved, or expanded systems, services, or equipment receive consideration and evaluation from a spectrum engineering standpoint and assurance of spectrum support by NTIA prior to its approval or funding if the service, system, or equipment requires radio frequency support.
- b. Each DOT surface-mode operating administration requiring radio frequency support, or having an interest in frequency management matters, shall designate within their organization one person with an appropriate alternate(s) to serve as liaison, or point of contact, with the Coast Guard IRAC representative. Normally, all requests for frequency

management actions shall be processed through these liaison representatives and addressed to:

Department of Transportation Representative, IRAC
Marine Radio Policy Branch (G-TPP-3)
U.S. Coast Guard Headquarters
2100 Second Street, S.W.
Washington, D.C. 20593

Telephone FTS 426-1231

- c. Each surface-mode operating administration is encouraged to establish internal coordination procedures for the handling of frequency management matters that may be referred to them from time to time by the Department's IRAC representative. Such matters will generally be items introduced into the IRAC by the FCC or other Government agencies that affect DOT operations or responsibilities.
- d. The Transportation Systems Center shall designate one person, with an appropriate alternate(s), to serve as liaison, or point of contact, with the FAA IRAC representative. All requests for frequency management actions shall normally be processed through the liaison representative and addressed to:

Department of Transportation Representative, IRAC
Federal Aviation Administration
Spectrum Management Branch, AES-500
800 Independence Avenue, SW.
Washington, D.C. 20591

Telephone FTS 426-8534

- e. A copy of all directives, instructions, or designations made pursuant to this Order shall be furnished to the Research and Special Programs Administration (RSPA).

FOR THE SECRETARY OF TRANSPORTATION:



Robert L. Fairman
Assistant Secretary for
Administration